



DEPARTMENT OF THE ARMY
UNITED STATES ARMY GARRISON VICENZA
UNIT 31401, BOX 41
APO AE 09630

IMEU-VIC-MWA

02 MAR 2009

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: U.S. Army Garrison Vicenza Policy Memorandum 08-48, Sexual Assault Prevention and Response Program (SAPRP)

1. References:

- a. AR 600-20, Army Command Policy, 18 March 2008.
- b. Memorandum, Deputy Secretary of Defense, 16 Mar 05, Subject: Confidentiality Policy for Victims of Sexual Assault (JTF-SAPR-009), on the web at:
<http://www.dtic.mil/whs/directives/corres/memos/OSD%2004154-05.pdf>.
- c. Memorandum, Under Secretary of Defense for Personnel and Readiness, 17 Dec 04, Subject: Response Capability for Sexual Assault (JTF-SAPR-008).

2. Sexual assault is a crime defined as intentional sexual contact, characterized by use of force, physical threat or abuse of authority, or when the victim does not or cannot give consent. Sexual assault includes rape, nonconsensual sodomy (oral or anal sex), indecent assault (unwanted, inappropriate sexual contact or fondling), or attempts to commit these acts. Sexual assault can occur without regard to the gender, spousal relationship, or age of the victim. "Consent" will not be deemed or construed to mean the failure by the victim to offer physical resistance. Consent is not given when a person uses force, the threat of force, or coercion, or when the victim is asleep, incapacitated, or unconscious.

3. Incidents or acts of sexual assault will not be tolerated within this command. As the U.S. Army Garrison Vicenza Commander, it is my policy to promote awareness and education to prevent sexual assault; encourage sensitive care for the victims; and investigate all reported sexual assaults in an aggressive, timely, and thorough manner.

4. I am committed to the Army's policy and its enforcement. Leaders at all levels are responsible for providing a safe and healthy environment for those in their charge and must take action to prevent sexual assaults, protect and support victims of sexual assault, and take all appropriate action, based on the facts and circumstances. Leaders will create and promote a positive command climate in which victims and witnesses have the confidence to report allegations immediately.

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5. Commanders/Directorates will conduct annual training aimed at the prevention of sexual assault, and they will ensure 100% of Soldiers and Department of Defense (DOD) Civilians attend this training. The training will include at a minimum a discussion of the Army's policy to include a review of the Department of Defense Victim and Witness Bill of Rights, and the myriad of resources available to Sexual Assault Victims.

6. Commanders and leaders have an inherent responsibility to respond compassionately but resolutely to allegations of sexual assault in their units and sections. Victims must be helped and protected immediately when they allege an assault. Leaders are responsible for treating sexual assault victims with dignity, fairness, and respect for their privacy and ensuring all medical, legal, and spiritual resources are made available to victims, regardless of the status of all investigations and actions.

7. Military personnel have two sexual assault reporting options, restricted and unrestricted reporting. As of the drafting of this policy letter, restricted reporting of sexual assault is not an option for civilian personnel. A brief description of restricted and unrestricted reporting is below:

a. Restricted Reporting. Restricted reporting allows an active duty service member who has been sexually assaulted to confidentially disclose the details of the assault to the SARC / VAC, VA, chaplain and/or healthcare provider. Restricted reporting allows a victim to receive medical treatment, counseling, and victim advocacy, without triggering the official investigative process. The healthcare provider may disclose confidential information to specific individuals only for specific purposes as outlined in AR 600-20, Chapter 8. If anyone other than those previously mentioned are notified, the report will be deemed unrestricted and must follow the procedures outlined in 7b of this memorandum. The procedures to be followed when a service member elects Restricted Reporting, under this policy, are those set out in AR 600-20, Chapter 8, Sexual Assault Prevention and Response Program and Appendix H, Confidentiality/Restricted Reporting. The installation SARC / VAC can be contacted at DSN 634-7500 or COMM 0444-71-7500 or at the Sexual Assault Hotline DSN 634-5878 (JUST) or COMM 0444-71-5878 (JUST).

b. Unrestricted Reporting. Unrestricted reporting allows an active duty service member who has been sexually assaulted to disclose the details of the assault to the SARC / VAC, VA, chaplain, healthcare provider, chain of command and/or law enforcement. Unrestricted reporting allows a victim to receive medical treatment, counseling, and victim advocacy, and begin an official investigation. Details regarding the incident will be limited to only those personnel with a need to know.

8. SARC/ VAC, UVA, Military Police, Birthing Pavilion, and Chaplain contact information, Restricted and Unrestricted reporting procedures, and the Army Sexual Assault policy letters will be posted in unit common areas throughout the installation.

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9. Questions regarding this policy should be addressed to the Installation Family Advocacy Program Manager or Victim Advocate Coordinator, DSN 634-7500.

10. This policy will be effective upon signature and will remain in effect until superseded or rescinded by the Garrison Commander.



ERIK O. DAIGA
COL, MI
Commanding

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